

Application No. 10/561,486
Attorney Docket No. 17237US01

REMARKS

The present application includes claims 1-4, 6-20, 22-33, and 44-48.

Claims 1, 4, 6-14, 23-29, 32 and 46-48 are rejected under 35 U.S.C. § 103(a) as being met by U.S. Patent No. 5,429,361 (Raven) in view of U.S. Patent No. 5,954,583 (Green). Claims 2-4, 19, 20, 26, 44, and 45 are rejected under 35 U.S.C. § 103(a) as being met by Raven in view of Green in further view of U.S. Pub 2003/0220138 (Walker Publication). Claims 14 and 30 are rejected under 35 U.S.C. § 103(a) as being met by Raven in view of Green in further view of U.S. Pat. No. 6,638,169 (Wilder). Claims 15-17, 32, and 33 are rejected under 35 U.S.C. § 103(a) as being met by Raven in view of Green in further view of U.S. Patent No. 7,107,245 (Kowalick). Claims 18 and 22-29 are rejected under 35 U.S.C. § 103(a) as being met by Raven in view of U.S. Patent No. 6,634,942 (Walker Patent), but the Office Action also applies Green. (Office Action at 9-10.) Claim 31 is rejected, but no express basis of rejection is given.

A. Status of Rejections

Applicant notes that the Office Action Summary indicates that the present action is non-final. Applicant also notes that this Action is the first action on the merits following Applicant's Request for Continued Examination. Further, page 15 of the Action states, with respect to claim 18, that the examiner has presented a new rejection. In view of the foregoing, Applicants respectfully submit that the statement in the Conclusion of the Action that the action is final is either an inadvertent typographical error or an improper assertion.

B. Rejection of Independent Claim 1

Independent claim 1 is rejected under 35 U.S.C. § 103(a) as being met by Raven in view of Green.

Claim 1, as now amended, recites a credit establishment facility that “includes a terminal connected to the communications system for transfer of player credits via the communication system to a selected gaming machine selected for play of a game, said terminal located remotely from the selected gaming machine and arranged to establish a player credit.”

Neither Raven nor Green suggest or disclose a gaming system that includes a terminal located remotely from a gaming machine selected for play in which the terminal is connected to a communications system for transfer of player credits via the communication system to the selected gaming machine. Further, neither Raven nor Green suggest or disclose a gaming system having a terminal remotely located from the gaming machine selected for play that associates such transferred player credits with a player identification device. Additionally, there is no disclosure or suggestion in Raven or Green of unlocking the gaming machine that has been selected for play via supplying an identification input device with the player identification device that is associated with such transferred player credit(s) that is held in the credit recording facility of the respective gaming machine.

Since neither Raven nor Green teach or support such elements, Raven and Green cannot be combined to make obvious claim 1. It is therefore respectfully submitted that independent claim 1 is allowable.

Dependent claims 2-4, 6-17, and 44-50 are also allowable for the same reasons given as to the allowability of independent claim 1. Moreover, the Walker Patent, Walker Publication, Wilder, and Kowalick references do not remedy the deficiencies of Raven and Green, as discussed above.

Accordingly, Applicants respectfully request allowance of independent claim 1 and dependent claims 2-4, 14-17, and 44-50.

C. Rejection of Independent Claim 18

Independent Claim 18 apparently stands rejected as being met by Raven in view of Green and further in view of the Walker Patent. (Office Action at 8-10, stating the rejection is based on Raven in view of the Walker Patent, but then also applying Green.)

The Office Action asserts that the Walker Patent “discloses that a player can play a game machine and then proceed to another game machine and by inserting their card, unlock the previous game machine.” (Office Action at 10.) Claim 18 discloses that one gaming machine is locked so that the gaming machine no longer operates to play a game by any player. However, the Walker Patent discloses “locking” gaming machines in terms of automated and manual play modes. (Walker Patent at (4:38-46, 10:56-11:4, 11:28-36.) More specifically, when a gaming machine is locked in the Walker Patent, the player continues playing the “locked” gaming machine through an automated play mode, but has locked manual game play by other players. (Id.) Accordingly, when a game is “unlocked” in the Walker Patent, the game is merely allowing manual game play to coincide with, or substitute, the automated game play of a player that is occurring when the gaming machine is “locked.” (Id.)

Moreover, the “locked” gaming machine of the Walker Patent is not “unlocked” by inserting the player’s card into the card reader of an available slot machine. Instead, the “locked” gaming machine in the Walker Patent is “unlocked” by the player “manually”

terminating automated game play. (Walker Patent at 15:18-22, 15:37-40.) For example, as shown by steps 760 and 780 in Figure 9 of the Walker Patent, after the player inserts the player's tracking card into a card reader and the player information is authenticated, the player "unlocks" the "locked" gaming machine by either deciding to terminate play or terminate automated game play. (Walker Patent at 15:18-22, 15:54-16:10, Figure 9.) Accordingly, this manual "unlocking" of gaming machine(s) in the Walker Patent does not occur until the player makes a decision to "manually" terminate game play or automated game play.

Claim 18 has been amended to recite that the locked gaming machine is "automatically unlocked to allow play when a player tracking device is afterward supplied to the tracking input device of another gaming machine." Applicant respectfully submits that for at least this reason, claim 18 of the present application is allowable over Raven in view of Green and further in view of the Walker Patent.

The Office Action also asserts that the Walker Patent discloses that the player can receive a credit balance that results in a payout from the previous game machine or even resume play of the previous game. (Office Action at 10.) However, as evidenced by step 770 in the flow chart in Figure 9 of the Walker Patent, after the player's card has been inserted into the card reader and the player information has been authenticated, the player first makes a decision of whether to terminate automated game play, and then, if the player decides to terminate the automated game play, the player may receive a payout. (Walker Patent at 15:54-58., Figure 9.)

Accordingly, the Walker Patent also does not disclose the feature of amended claim 18 of the present application that the credit associated with the credit held in the credit recording facility of the locked gaming machine being automatically transferred to the credit recording

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facility of the other gaming machine in response to the player tracking device being supplied to the tracking input device of the other gaming machine.

It is therefore respectfully submitted that independent claim 18 is allowable.

Dependent claims 19, 20, and 22-33 are also allowable for the same reasons given as to the allowability of independent claim 18. Moreover, the Walker Publication, Wilder, and Kowalick references do not remedy the above-discussed deficiencies of the Raven, Green, and Walker Patent references.

Accordingly, Applicants respectfully request allowance of independent claim 18 and associated dependent claims 19, 20, and 22-33.

D. Other Assertions

With respect to other assertions made in the Office Action regarding the pending claims and the cited references, Applicants respectfully submit that those assertions are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need arise

CONCLUSION

Applicants respectfully submit that the claims of the present application are in condition for allowance for at least the reasons discussed above. A Notice of Allowance is therefore requested. If Examiner has any questions or Applicants can be of any assistance, Examiner is invited and encouraged to contact Applicants at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

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/William B. Gont/
William B. Gont
Registration No. 57,232

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, IL 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100